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VIA ELECTRONIC CASE FILING

Hon. Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Thomas Fitzpatrick v. Boston Market Corporation
Case No. 1:21-cv-05868

Dear Judge Vitaliano:

We represent Defendant, Boston Market Corporation (“BMC”), in the above-referenced action. Pursuant to Your Honor’s June 23, 2023 Order, the parties’ joint pretrial order (“JPTO”) is due today and “absent significant changes in circumstances” no further extensions will be granted. We respectfully submit a significant change in circumstances has arisen because of BMC’s uncorrected failure to communicate or cooperate with us in its own defense, which prompted my firm to file a motion to withdraw as Defendant BMC’s counsel. *See* Docket No. 27.

Accordingly, we request that the Court hold the JPTO deadline in abeyance until there is a resolution of the withdrawal motion. This will permit to BMC to submit its position on the pending withdrawal motion; and if the motion is granted, BMC will be able to secure and obtain new counsel; and permit BMC’s new counsel to proceed as it sees fit in the further conduct of this litigation, including with respect to the JPTO.

Opposing counsel objects to holding the JPTO deadline in an indefinite abeyance but will consent to a one-week extension of the JPTO deadline.

Thank you for your consideration.

Respectfully Submitted,
BOND, SCHOENECK & KING, PLLC

/s/

Gregory B. Reilly, Esq.

cc: Josef Nussbaum, Esq. (Counsel for Plaintiff)
Jignesh Pandya, CEO of Rohan Group of Companies (via certified mail)
Frances Allen, CEO of Boston Market (via certified mail)